

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 DEDRIDE SHELTON, SR.,

4 Plaintiff

Case No. 3:19-cv-00260-MMD-WGC

ORDER

5 v.

6 WASHOE COUNTY SHERIFF'S OFFICE,

7 Defendants  
8

9 **I. DISCUSSION**

10 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections  
11 ("NDOC"), has filed an incomplete application to proceed *in forma pauperis* and a  
12 document indicating an intent to initiate a lawsuit. (ECF No. 1, 1-1).

13 Under Federal Rule of Civil Procedure 3, "[a] civil action is commenced by filing a  
14 complaint with the court." Fed. R. Civ. P. 3. Therefore, the Court grants Plaintiff thirty  
15 (30) days from the date of this order to submit a complaint to this Court. In the complaint,  
16 Plaintiff must identify who he is suing and allege facts sufficient to show what each  
17 defendant did to violate specified civil rights.

18 Furthermore, under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must  
19 complete an application to proceed *in forma pauperis* and attach both an inmate account  
20 statement for the past six months and a properly executed financial certificate. Plaintiff  
21 has not attached an inmate account statement for the past six months or a properly  
22 executed financial certificate. Plaintiff will be granted an opportunity to file a complete  
23 application to proceed *in forma pauperis*, including the required financial attachments or,  
24 in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an  
25 application to proceed *in forma pauperis* he must file a fully complete application to  
26 proceed *in forma pauperis*, including both an inmate account statement for the past six  
27 months and a properly executed financial certificate.

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3 **II. CONCLUSION**

4 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND  
5 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well  
6 as the document entitled information and instructions for filing an *in forma pauperis*  
7 application.

8 IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within  
9 thirty (30) days from the date of this order.

10 IT IS FURTHER ORDERED that, within thirty (30) days from the date of this order,  
11 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on  
12 the correct form with both an inmate account statement for the past six months and a  
13 properly executed financial certificate complete, in compliance with 28 U.S.C. § 1915(a);  
14 or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and  
15 the \$50 administrative fee).

16 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the  
17 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

18 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,  
19 dismissal of this action may result.

20 DATED: May 20, 2019.

21 William G. Cobb  
22 UNITED STATES MAGISTRATE JUDGE  
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